

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

BY RE APPLICATION OF:

Zalipsky, *et al.*

APPLICATION No.: 10/714,085

FILED: November 14, 2003

FOR: **METHOD FOR TREATING MULTI-DRUG
RESISTANT TUMORS**

EXAMINER: Unassigned

ART UNIT: 1615

CONF. No: 9528

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of the following references are enclosed:
 - ☒ Reference marked by asterisks
- ☒ Copies of the following references can be found in parent U.S. Application No. 09/556,610:
 - ☒ All cited references not marked by asterisks
- ☒ This application was filed after June 30, 2003, therefore copies of U.S. patents or published applications are not required.

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

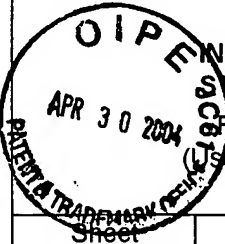
Respectfully submitted,

Date: April 30, 2004

Judy M. Mohr
Judy M. Mohr
Registration No. 38,563

Correspondence Address:

Customer No. 22918
(650) 838-4300

 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary)</p>				COMPLETE IF KNOWN	
				Application Number	10/714,085
				Confirmation Number	9528
				Filing Date	November 14, 2003
				First Named Inventor	Zalipsky, <i>et al.</i>
				Group Art Unit	1615
Examiner Name	Unassigned				
Attorney Docket No.	55325-8167.US06				
Sheet	1	of	2		

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code			
		4179337		Davis, <i>et al.</i>	12/18/79	
		4766106		Katre, <i>et al.</i>	8/23/88	
		4902502		Nitecki, <i>et al.</i>	02/20/90	
		4917888		Katre, <i>et al.</i>	04/17/90	
		4935465		Garman	06/19/90	
		5103556		Filip, <i>et al.</i>	04/14/92	
		5395619		Zalipsky, <i>et al.</i>	03/07/95	
		5631018		Zalipsky, <i>et al.</i>	05/20/97	
		5891468		Martin, <i>et al.</i>	04/06/99	

FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
		EP	0 317 957	A2	Senter	5/31/89		
		WO	98/16201		Zalipsky, <i>et al.</i>	04/23/98		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
		Brois, S.J., <i>et al.</i> , <i>J. Amer. Chem. Soc.</i> <u>92</u> (26):7629-7631 (1970).	
		Dittmer, J.C., <i>et al.</i> , <i>J. Lipid Res.</i> 126-127 (1964).	
		Gaber, M., <i>et al.</i> , <i>Pharmaceutical Res</i> <u>12</u> (10):1407-1416, (1995).	
		Grice, R., <i>et al.</i> , <i>J. Chem. Soc.</i> 1947-1954 (1963)	
		Hirota, S., <i>International J of Pharmaceutics</i> <u>162</u> (1-2):185-194, (1998).	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	

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Sheet	2	of	2	Attorney Docket No.	55325-8167.US06

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
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		*Engman, L., <i>et al.</i> , <i>Bioorganic & Medicinal Chemistry</i> 11:5091-5100, (2003).	
		Johnsson, M., <i>et al.</i> , <i>J of Liposome Res</i> 9(1):53-79, (1999).	
		Kaneko, T., <i>et al.</i> , <i>Bioconjugate Chem.</i> 2(3):133-141 (1991).	
		Kirpotin, D., <i>et al.</i> , <i>FEBS Letters</i> 388:115-118, (1996).	
		Lash, L.H., <i>et al.</i> , <i>Arch. Biochem. Biophys.</i> 240(2):583-592 (1985).	
		Mueller, C.E., <i>et al.</i> , 322(6):343-350, (1989).	
		Senter, P.D., <i>et al.</i> , <i>J Org Chem</i> 55(9):2975-2978, (1990).	
		Vaage, J., <i>et al.</i> , <i>Cancer</i> 72(12):3671-3675, (1993).	
		Vaage, J., <i>et al.</i> , <i>Cancer</i> 73(5):1478-1484, (1994).	
		Vaage, J., <i>et al.</i> , <i>International J of Cancer</i> 51(6)942-948, ().	
		Veronese, <i>et al.</i> , <i>Applied Biochem. And Biotech.</i> 141-152 (1985).	
		Zalipsky, <i>et al.</i> , <i>Biotechnol. Appl. Biochem.</i> 100-114 (1992).	
		Zalipsky, <i>et al.</i> , <i>Eur. Polymer. J.</i> 19(12):1177-1183 (1983).	
		Zalipsky, <i>et al.</i> , <i>Bioconj. Chem.</i> 4(4):296-299 (1993).	
		Zalipsky, <i>Bioconj Chem</i> 10(5):703-707, (1999).	

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